



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,628	11/21/2005	Klaus Hanreich	038741.55726US	1877
23911 7590 03/04/2010 CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300			EXAMINER WALTERS, RYAN J	
			ART UNIT 3726	PAPER NUMBER
			MAIL DATE 03/04/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/522,628	Applicant(s) HANREICH, KLAUS	
	Examiner RYAN J. WALTERS	Art Unit 3726	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Terminal Disclaimer

1. The terminal disclaimer filed on 11/30/2009 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on Application Number 10/554,471 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Objections

2. **Claim 1** is objected to because of the following informalities:

On lines 7-8, Delete the limitation "in order to move the modules and/or assemblies and/or individual parts of the at least one gas turbine to repair stations adapted for this purpose" since it is redundant to recite that the parts are moved through repair stations in order to move the parts to repair stations. Appropriate correction is required.

3. **Claims 3 and 10** are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

The amended claim 1 includes all of the limitations of claims 3 and 10.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 3726

5. **Claim 12 is rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. **Claim 12** recites the limitation "new modules" in line 2. There is insufficient antecedent basis for this limitation in the claim. Further, it is unclear how a module can be inspected, repaired and new.

Claim Rejections - 35 USC § 103

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. **Claims 1, 3-4, 7, 9-10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaworsky (EP 0708877 B1) in view of Swartz (PGPub 2002/0100159).**

9. Re **Claims 1, 3 and 10**, Yaworsky discloses a method for maintenance of gas turbines, wherein the gas turbines are disassembled into modules before repair, the modules are inspected and/or repaired, wherein the repair is subdivided into at least two repair steps (Col. 14, lines 30-43).

Yaworsky does not disclose moving the modules through repair stations in different repair lines.

However, **Swartz** teaches the following steps wherein modules to be repaired are moved through repair stations in order to carry out the repair steps wherein the modules are repaired in different repair lines 30, 32 containing repair

Art Unit: 3726

stations, with a decision on the repair line to which a module to be repaired will be sent being made after inspection of the modules (Fig. 1; page 2, paragraphs 18-22; page 4, paragraph 30; i.e. robot decides that module will go on a repair line when it picks up the module)

modules are moved discontinuously on a cycle through the repair stations or the repair lines (Page 4, paragraph 29; discontinuous in that modules that fail the air test are moved to a different station than those that pass)

two or more repair steps are carried out in succession and subdivided within one repair line (Fig. 1),

wherein the modules are moved to at least one matched repair stations in order to carry out the repair steps (Fig. 1),

wherein each matched repair station includes two or more identical repair stations provided for at least some of the repair steps, such that the same repair steps can be carried out at the same time on different modules within one repair line (Page 4, paragraph 30; Fig. 1).

It would be obvious to one of ordinary skill in the art to move the modules through repair stations in different repair lines, as taught by Swartz, for the purpose of quickly and efficiently repairing large quantities of components in a manner where breakdowns that occur in one line will not effect the production of the other lines (Page 4, paragraph 30).

10. Re **Claim 4**, Swartz teaches the repair lines include a non-welding-intensive repair line (Fig. 1).

Art Unit: 3726

11. Re **Claim 7**, Swartz teaches in addition to the repair stations in the repair lines, central repair stations 140 are provided, wherein modules from different repair lines are passed to the central repair stations (Page 4, paragraph 29; Fig. 1).

12. Re **Claim 9**, Swartz teaches the modules are inspected after repair (Page 4, paragraph 29).

13. Re **Claim 12**, Yaworsky discloses gas turbines are assembled from inspected and/or repaired and/or new modules after repair (Col. 14, line 44; Col. 15, line 41; Col. 17, lines 17-28).

14. Claims 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaworsky and Swartz, in further view of Rathi (US 5,285,572).

15. Re **Claim 8**, Swartz teaches sending modules to the central repair station 140 for repair but fails to teach whether the repair includes at least one of a heat treatment station, a washing station and an electroplating station.

However, Rathi teaches an assembly line process with a heat treatment station 24 (Fig. 7; Col. 3, line 9). It would be obvious to include a heat treatment station, as taught by Rathi, for the purpose of repairing cracks and holes in the modules (Col. 3, lines 9-10).

16. Re **Claim 11**, Yaworsky/Swartz do not disclose that before being disassembled, the gas turbines are precleaned as a unit and the modules are cleaned again before repair.

However, **Rathi** teaches that the modules 10 are cleaned before repair (Col. 3,

Art Unit: 3726

line 27). Further, it would be obvious to one of ordinary skill in the art to preclean the gas turbines as a unit in order to remove grease and contaminants and thus reduce the amount of grease and contaminants that will accumulate on the repair stations.

Response to Arguments

17. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN J. WALTERS whose telephone number is

Art Unit: 3726

(571)270-5429. The examiner can normally be reached on Monday-Friday, 9am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on 571-272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/R. J. W./
Examiner, Art Unit 3726

/DAVID P. BRYANT/
Supervisory Patent Examiner, Art Unit 3726